

REMARKS

Claims 12, 13 and 17 are pending in the present application.

I. FORMAL MATTERS

The Office Action does not acknowledge the claim to priority and does not indicate whether the copy of the priority documents filed on June 7, 2002 have been received. Applicant respectfully requests the Examiner to do so.

Applicant notes with appreciation that the Office Action indicates that the formal drawings submitted on March 1, 2002 are acceptable.

Applicant notes with appreciation that the Office Action includes a copy of the PTO Form 1449 that was submitted in the Information Disclosure Statement filed on August 17, 2004. All of the references listed therein are initialed by the Examiner, thereby indicating that these references were considered and will be listed on the face of any patent that issues from the present invention.

II. REJECTION UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claim 13 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner asserts that the step of "converting table makes combination of said plurality of types of character string or image to plurality of points" is not disclosed in the specification, and one or ordinary skill in the

art would not be able to implement the step without undue experimentation.

Applicant submits that page 5, lines 9-14 of the originally filed application includes support for the features of claim 13. Therefore, Applicant respectfully requests the Examiner to withdraw this rejection.

III. PRIOR ART REJECTIONS

Claims 12, 13 & 14 are rejected under 35 U.S.C. § 102(e) as being anticipated by Studor (U.S. Patent No.: 6,152,856). Although the rejection lists claim 14, it appears that the Examiner intended to list claim 17, since claim 17, not claim 14, was not elected in the response to the Restriction Requirement filed on August 16, 2007. This rejection is traversed.

In the claimed invention, a point-giving server gives a user mileage points of an airline or card points of a credit card company which are in proportion to the amount of a service used by the user. Specifically, the point-giving server acquires a character string or image that represents the amount of the service used. Then the point-giving server converts the acquired character string or image to mileage points or card points. This helps to keep the user's motivation high.

The Examiner asserts that the M-S converter of Studor, which acquires data from a speed sensor and converts that data so as to transmit it, is the claimed data acquiring unit and converter. The Examiner suggests that the data is converted to points by using a corresponding terrain characteristics look-up table. However, in

Studor, the results of the conversion is not mileage points or card points. Therefore, the system of Studor does not keep the user's motivation high.

Thus, because Studor does not teach or suggest each and every element of claims 12, 13 and 17, claims 12, 13 and 17 are not anticipated by Studor. Therefore, Applicant respectfully requests the Examiner to withdraw the rejection of claims 12, 13 and 17 under 35 U.S.C. § 102(e)

Accordingly, Applicant respectfully submits that the present application is in condition for allowance, and allowance is respectfully solicited.

If the Examiner believes that any outstanding issue could be resolved through a telephone interview, Applicant kindly requests the Examiner to contact the undersigned at the telephone number listed below.

Applicant believes that no additional fees are due for the subject application. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Dated: December 7, 2007

Customer No.: 21874
646962

Respectfully submitted,

/John J. Penny, Jr./

By _____
John J. Penny, Jr.
Registration No.: 36,984

EDWARDS ANGELL PALMER & DODGE LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444
Attorneys/Agents For Applicant